

DOCKET No. RUW-101

REMARKS

On January 5, 2007, an Advisory Action was mailed to Applicant's representative that noted the reply filed to place the application in condition for allowance and the proposed amendments would not be entered, because the amended claims would require further examination and search.

Applicant respectfully disagrees that proposed amendments would require further examination and search because the amendments merely moved several terms that were already in the amended claims to the forefront of the claims.

In claims 13-17, the adjective topical is changed to the adverb topically for grammatical correctness in that it now described "effective" rather than the composition itself. Support for the effectiveness of the composition for the specific conditions listed is found in the specification at page 13, line 15: "Most specifically, the topical composition is used to treat radiation dermatitis, thermal burns, sunburn, and dermatomyofibromas." Claims 13-17 already contained the term "active" in relation to each of the conditions described:

These amendments are fully supported by Applicant's original specification without any new matter whatsoever has been added.

The amendments to Applicant's claims as described above have been merely made to provide further clarity to Applicant's unique and non-obvious features and in no way are intended to narrow the scope of any of Applicant's claims.

Applicant has complied with all of the Examiners' requirements according to the interview with Examiner Beth McCormick Ewoldt and her Supervisor Christopher R. Tate on November 16, 2006 when agreement was reached that with these amendments to Applicant's claims would put this application in condition for allowance. Applicant thanks both Examiner Beth

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McCormick Ewoldt and her Supervisor Christopher R. Tate for their courtesy during this interview and their thorough examination of Applicant's unique and non-obvious invention.

Accordingly, Applicant submits that the Examiner's rejection of Claims 1, 3-17 under 35 U.S.C. §103 (a) has been overcome and respectfully requests withdrawal of this rejection.

Since Applicant previously had four independent claims and twenty-five dependent claims, and now has three independent claims and fourteen dependent claims no fees are due.

If somehow there are any fees incurred by this Amendment Letter, the Commissioner is hereby requested to contact the below attorney for payment.

Respectfully submitted,



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